REMARKS

Upon entry of the amendment to the claim 44 and the addition of new claims 45-56, claims 44-56 will be subject to examination. Claims 30-33 and 38 have been cancelled. Claims 1-3, 19-24, 28-29 and 39-43 have been withdrawn from consideration. Support in the for new claims 45-56 appears in the specification at, e.g., pages 15 and 16, at lines 26-32 and at lines 1-8, respectively. No new matter has been added.

Upon entry of the amendment to the specification, the Patent Numbers will be disclosed for the patents that correspond to the priority claim for the instant application. Therefore, Applicants request that the objection be withdrawn.

Applicants affirm their election of Group IV. Applicants will address the double patenting rejection upon indication of allowable subject matter in either the instant case or copending Application No. 10/691,123.

Rejections under 35 USC §112 second paragraph

Claims 30-33, 38 and 44 are rejected as being indefinite. Claims 30-33 and 38 have been cancelled and amended claim 44, from which claims 45-51 depend, is directed to a kit comprising as a first component a therapeutically effective amount of a sterile gastrin/CCK receptor ligand and as a second component a therapeutically effective amount of a sterile EGF receptor ligand for administration separately or in combination to a patient. As amended, claim 42 specifically points out the interrelationships between the components recited. New claim 52, from which claims 53-56 depend, is directed to a kit where the components are capable of preparing and forming a pharmaceutical composition that is then administered to a patient. The

formation of the pharmaceutical composition provides the interrelationship between the components. Applicants request that the rejection be withdrawn.

Claim 32 is rejected as being indefinite. Claim 32 has been cancelled. The rejection is addressed as applied to amended claim 44 and new claim 52. As discussed, these claims are directed to therapeutically effective amounts of gastrin/CCK receptor ligand and an EGF receptor ligand rather than "single dosages." Support for what constitutes a therapeutically effective amount can be found, for example, at pages 12 and 13, at lines 24-32 and 1-3, respectively. The specification adequately limits the therapeutically effective amount of the active ingredient for the various administration techniques. Applicants request that the rejection be withdrawn.

Rejections under 35 USC §102(b)

Claims 30-33, 38 and 44 are rejected as being anticipated by Conteas, et al. ("Conteas"). The rejection is traversed to the extent it is applied to the claims as amended.

Claims 30-33 and 38 have been cancelled. As discussed, amended claim 44 and new 52 are directed to kits having a therapeutically effective amount of sterile gastrin/CCK receptor ligand and sterile EGF receptor ligand for administration to a patient. While Conteas is cited for exposing a small intestinal crypt cell line to gastrin and EGF and determining DNA synthesis, the publication does not disclose all the elements of, nor does it teach or suggest, the presently claimed kits. In particular, Conteas does not disclose a kit comprising therapeutically effective amounts of a sterile gastrin component and a sterile EGF component. Further, it does not disclose or in any way teach or suggest administration of such components to patients, in

particular to effect differentiation of pancreatic islet precursor cells to mature insulin-secreting cells in a patient. Applicants therefore respectfully request withdrawal of the rejection.

The claims are now in condition for allowance, and such action is respectfully requested. A petition for extension of time and a petition to revive an unintentionally abandoned application accompany this response. The Commissioner is authorized to charge any fees that may be due, or credit any overpayments of same, to Deposit Account No. 50-0311, Ref. No. 24492-021.

Respectfully submitted,

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